

Certified Landscape Architects Laws

45:3A-1. Use of title; necessity of certificate; display; use by corporation

In order to safeguard life, health and property, and promote the public welfare, a person using the title "landscape architect" in this State is required to submit evidence that the person is qualified to be certified as provided in this amendatory and supplementary act. It is unlawful for a person to use the title "landscape architect" or any other title, sign, card or device in a manner which tends to convey the impression that the person is a certified landscape architect. Every holder of a certificate shall display it in a conspicuous place in his principal office, place of business or employment.

No corporation, firm, partnership or association shall be granted a certificate under this amendatory and supplementary act. No corporation, firm, partnership or association shall use or assume a name involving the word "landscape architect," or a modification or derivative of the term, unless an executive officer, if a corporation, or a member, if a firm, partnership or association, is a certified landscape architect of the State.

L.1983, c. 337, s. 4, eff. Sept. 4, 1983.

45:3A-2. Definitions

As used in this act:

a. "Certified landscape architect" means an individual who, by reason of his knowledge of natural, physical and mathematical sciences, and the principles and methodology of landscape architecture and landscape architectural design acquired by professional education, practical experience, or both, is qualified to engage in the practice of landscape architecture and is certified by the board as a landscape architect.

b. "The practice of landscape architecture" means any service in which the principles and methodology of landscape architecture are applied in consultation, evaluation and planning, including the preparation and filing of sketches, drawings, plans and specifications, and responsible administration of contracts relative to projects principally directed at the functional and aesthetic use of land. Nothing contained in this section shall be construed to restrict or otherwise affect the right of any person or corporation to engage in the practice of landscape architecture, but no person or corporation shall hold himself out as, or use the title "certified landscape architect," unless he has been certified pursuant to this act.

c. "Committee" means the Landscape Architect Examination and Evaluation Committee.

L.1983, c. 337, s. 5, eff. Sept. 4, 1983.

45:3A-3. Applicability of act to architects, engineers, land surveyors or professional planners

Nothing in this amendatory and supplementary act shall be construed to prevent the practice of architecture, engineering or land surveying or professional planning by a holder of a license to practice that profession licensed by this State, but no architect, engineer, surveyor or professional planner shall use the designation "landscape architect" unless certified as a landscape architect in this State.

L.1983, c. 337, s. 6, eff. Sept. 4, 1983.

45:3A-4. Landscape architect examination and evaluation committee; members; appointment; terms of office; vacancies; qualifications; removal; reimbursement of expenses; oath of office

There is established a committee of the board to be known as the Landscape Architect Examination and Evaluation Committee. The committee shall consist of five landscape architects, one of whom is a member of the board. The committee members shall be appointed by the Governor within 60 days after the effective date of this amendatory and supplementary act. Initial members, other than the member of the board, shall be appointed to one term each of one, two, three and four years respectively; thereafter their successor shall be appointed for terms of five years and until the appointment and qualification of their successors. A member of the committee shall not be eligible to succeed himself more than once. Vacancies in the membership of the committee, however created, shall be similarly filled by appointment of the Governor for the unexpired term only. Members of the committee shall be residents of this State, shall have at least five years' experience in landscape architecture, shall be of good standing in the landscape architecture profession, and, except as to the initial appointments to the committee, shall be certified under the provisions of this amendatory and supplementary act. The initial appointments shall become certified as soon as practicable after their appointments. The Governor may remove a member of the committee after hearing, for misconduct, incompetence, neglect of duty, or any other sufficient cause.

Members of the committee shall receive no compensation for their services, but may be reimbursed for all necessary expenses, incidental to performance of their duties as members of the committee.

Each member of the committee, before entering upon the duties of his office, shall subscribe to an oath to faithfully perform the duties of his office.

L.1983, c. 337, s. 7, eff. Sept. 4, 1983.

45:3A-5. Officers; meetings; quorum; vote necessary

The committee shall, at its first meeting, called by the Governor as soon as may be following the appointments of its members, and at all annual meetings, to be held in July of each year thereafter, organize by electing from its membership a chairman and by appointing a secretary, who need not be a member of the committee, and other assistants as it deems necessary.

The committee shall adopt annually a schedule of regular meetings, and special meetings may be held at the call of the chairman.

A quorum of the committee shall consist of three members. No action of a meeting shall be taken without at least three votes in accord.

L.1983, c. 337, s. 8, eff. Sept. 4, 1983.

45:3A-6. Review and establishment of standards of courses of study; list of approved colleges and universities; records

The committee is authorized to review the content and duration of courses of study offered by colleges and universities for degrees in landscape architecture and to establish and maintain a register of colleges and universities whose curricula in landscape architecture are approved by the committee; to establish and maintain a list of recognized subjects and courses of study, and to establish minimum requirements therefor which shall be acceptable to the board and the committee.

In addition to those records of proceedings and applicants established by the board, the committee shall keep a record of its proceedings and a record of all applicants for certification, showing for each the date of application, name, age, education, and other qualifications, place of practice and place of residence, whether or not an examination was required, and whether the applicant was rejected or a certificate granted, and the date of that action.

L.1983, c. 337, s. 9, eff. Sept. 4, 1983.

45:3A-7. Application; contents

Each person applying for certification as a landscape architect shall make application therefor to the board on the form and in the manner the committee prescribes and the board shall immediately refer each application to the committee for appropriate action. Each applicant shall furnish evidence satisfactory to the committee that he:

- a. Is of good moral character;
- b. Meets the educational and experience qualifications prescribed by this amendatory and supplementary act for certification as a landscape architect; and
- c. Unless exempt from examination pursuant to this amendatory and supplementary act, has passed an examination satisfactory to the committee.

L.1983, c. 337, s. 10, eff. Sept. 4, 1983.

45:3A-8. Qualifications

- a. An applicant for examination or certification as a landscape architect shall provide the committee with evidence satisfactory to it that he:

(1) Is the holder of a bachelor's or higher degree in landscape architecture from a college or university having a landscape architecture curriculum approved by the committee; and

(2) Has engaged in landscape architectural work satisfactory to the committee to an extent that his combined college study and practical experience total at least six years.

b. In lieu of the degree and practical experience requirements specified in paragraph a. of this section, evidence of 10 or more years of practical experience in landscape architecture of a grade and character satisfactory to the committee may be accepted. Each complete year of study satisfactory to the committee may be accepted in lieu of one year's practical experience toward the required total of 10 years. Six years of practical experience satisfactory to the committee may be accepted by the committee for admission to that portion of the examination related to landscape architecture.

c. Six years after the effective date of this act, an applicant shall be eligible for certification as a landscape architect only if he meets the requirements of subsection a. of this section.

L.1983, c. 337, s. 11, eff. Sept. 4, 1983.

45:3A-9. Fees

The following fees shall be assessed and collected by the board:

a. An application fee for certification as a landscape architect which shall not be subject to refund;

b. An examination fee and initial two-year certification fee for landscape architects which shall be subject to refund if the applicant is determined to be ineligible for examination, withdraws his application for examination, or fails to appear for examination;

c. A two-year renewal fee for landscape architects; and

d. A reinstatement fee for certified landscape architects.

L.1983, c. 337, s. 12, eff. Sept. 4, 1983.

45:3A-10. Examination

a. The committee shall administer an examination to be given to all persons, not exempt from examination pursuant to this amendatory and supplementary act, who have applied for certification as landscape architects.

b. The committee may exempt from examination an applicant who holds a license or certificate to practice landscape architecture issued to him upon examination by a legally

constituted board of examiners in any state, district or territory in the United States, provided the applicant's qualifications meet the requirements enforced in this State at the time the license was issued.

Unless a majority of the full committee shall determine otherwise, the examination to be administered to all nonexempt applicants shall consist of the Unified National Examination as prepared by the Council of Landscape Architectural Registration Boards.

L.1983, c. 337, s. 13, eff. Sept. 4, 1983.

45:3A-11. Review of applicants by committee and board; issuance of certificate

The committee shall review the qualifications of each person who applies for certification as a landscape architect. Notwithstanding any other provision of this amendatory and supplementary act to the contrary, no applicant shall be certified by the board unless a majority of the full committee first determines that he is qualified by education, experience and satisfactory performance on the examination to be certified as a landscape architect and all applicants who are determined to be so qualified and are recommended for certification by the committee shall be certified by the board.

The board is authorized to review the actions taken by the committee with respect to the committee's evaluation and examination of applicants for certification as landscape architects but the board may reverse, modify or fail to implement any of the above described actions of the committee only by the affirmative vote of at least six members of the board.

L.1983, c. 337, s. 14, eff. Sept. 4, 1983.

45:3A-12. Certificates; expiration; notice; renewal; duplicate; prima facie evidence; recordation

Certificates for landscape architects shall expire on May 30 in the second year following the year of issuance, renewal or reinstatement, and shall become invalid on that day unless renewed. Certified landscape architects shall apply for renewal before May 30 in the year of expiration of a certificate. On or before May 1 in the year of expiration of a certificate the secretary of the board shall notify all persons certified under this amendatory and supplementary act of the date of the expiration of their certificates and the amount of the renewal fee. Notice shall be mailed to each holder of a certificate at his last post office address known to the board.

Failure on the part of the holder of a certificate to renew his certificate every two years in the month of May shall not deprive that person of the right of renewal during the ensuing two years, but a reinstatement fee shall be added to the certificate fee; and if the certificate is not renewed within the two years following its expiration, the holder of the certificate shall pay a reinstatement fee for each two years or portion thereof in which the holder is in arrears. Continuing to use the title "landscape architect" after the expiration of the certificate shall be a violation of this amendatory and supplementary act.

A duplicate certificate to replace one lost, destroyed or mutilated may be issued subject to the rules and regulations of the board, and a reasonable fee, to be established by the board may be charged for each duplicate certificate. An unsuspended, unrevoked and unexpired certificate as a landscape architect under this act shall be prima facie evidence in all courts and places that the person named therein is certified. Each certificate shall be recorded by the board in the office of the Secretary of State, in a book kept for that purpose, and any recording fee as may be provided by law shall be paid by the applicant before the certificate is delivered.

L.1983, c. 337, s. 15, eff. Sept. 4, 1983.

45:3A-13. Seal; contents; signing and sealing documents

Every person using the title "landscape architect" shall have a seal of a type approved by the board, which shall contain the name of the landscape architect, his certificate number, the legend "certified landscape architect" and other words or figures as the board may deem necessary. All working drawings and specifications prepared by the landscape architect or under the supervision of the landscape architect shall be stamped with the seal and shall be signed on the original, with the personal signature of the certified landscape architect, when filed with public officials. The board, upon recommendation and approval of the committee, may by regulation, change or modify the requirements as to the signing and sealing of documents.

L.1983, c. 337, s. 16, eff. Sept. 4, 1983.

45:3A-14. Qualification for certificate without examination

Notwithstanding any other provision of this amendatory and supplementary act to the contrary, for a period of one year from the effective date of this amendatory and supplementary act, an individual of good moral character shall be entitled to receive a certificate as a landscape architect without examination if he files an application therefor accompanied by the application fee, the examination and certificate fee, and evidence that he has:

a. A diploma of graduation or satisfactory certificate from a college or university recognized by the committee as offering an approved curriculum in landscape architecture or the equivalent thereof as determined by the committee; together with at least four years of practical experience in landscape architectural work of a grade and character acceptable to the committee; or

b. A total of at least 12 years of experience in the teaching of landscape architecture in a college or university or at least 12 years of practical experience in landscape architectural work of a grade and character acceptable to the committee.

L.1983, c. 337, s. 17, eff. Sept. 4, 1983.

45:3A-15. Continuing education requirement

Four years from the effective date of this amendatory and supplementary act and every four years thereafter, each person certified to practice landscape architecture in this State shall certify to the board, upon a form issued and distributed by the board, that the person has attended, or participated in not less than 20 hours of continuing education in landscape architecture as follows: college postgraduate courses, lectures, seminars, or workshops, as approved by the committee or any other evidence of continuing education which the board may approve.

L.1983, c. 337, s. 18, eff. Sept. 4, 1983.